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CUSTOMER NUMBER 25268

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Ralph C. Jorgenson et al. Attorney Docket No. BIOL0079

Serial No.: 10/788,971 Group Art Unit: 2621

Filed: February 27, 2004 Examiner:

Title: IMAGING PLATFORM FOR NANOPARTICLE DETECTION APPLIED TO  
SPR BIOMOLECULAR INTERACTION ANALYSIS

INFORMATION DISCLOSURE STATEMENT

Bellevue, Washington 98004

July 1, 2004

TO THE COMMISSIONER FOR PATENTS:

Applicant is aware of the information listed in the attached form that may be material to the prosecution of the above-identified patent application.

- \_\_\_\_ 1. Copies of the listed non-U.S. patent publications and other information are enclosed for the Examiner's use.
- X 2. Copies of the listed patents, publications, and other information were previously cited by or submitted to the U.S. Patent and Trademark Office in prior applications -- Serial No. 10/628,662 filed July 28, 2004 and Serial No. 09/976,257 filed October 12, 2001, and relied upon for an earlier filing date under 35 U.S.C. § 120.
- \_\_\_\_ 3. A concise explanation of the relevance of document I.D. No. \_\_\_\_ (which is not in the English language), as presently understood by the individual designated under 37 C.F.R. § 1.56(c) most knowledgeable about its content, is provided \_\_\_\_.
- X 4. Pursuant to 37 C.F.R. § 1.97(b), this information disclosure statement is being filed within three months of the filing date of the national application, within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing date of a first Office Action on the merits.
- \_\_\_\_ 5. Pursuant to 37 C.F.R. § 1.97(c), this information disclosure statement is being filed after the period set forth in 37 C.F.R. § 1.97(b) but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, and is accompanied by:
  - a. \_\_\_\_ a certification as specified in 37 C.F.R. § 1.97(e); or

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b. \_\_\_\_\_ the fee set forth in 37 C.F.R. § 1.17(p). Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ is enclosed.

\_\_\_\_\_ 6. Pursuant to 37 C.F.R. § 1.97(d), this information disclosure statement is being filed after the mailing date of either:

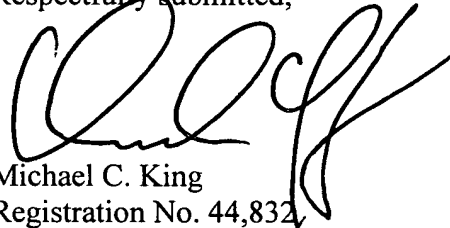
a. \_\_\_\_\_ a final action under 37 C.F.R. § 1.113; or

b. \_\_\_\_\_ a notice of allowance under 37 C.F.R. § 1.311,

but before payment of the issue fee. The statement is accompanied by a certification as specified in 37 C.F.R. § 1.97(e), a statement requesting consideration of the information disclosure statement, and the petition fee set forth in 37 C.F.R. § 1.17(p). Check No. \_\_\_\_\_ in the amount of \$ \_\_\_\_\_ is enclosed.

X 7. Please charge any additional fees or credit any overpayment to Deposit Account No. 01-1940. A copy of this sheet is enclosed.

Respectfully submitted,

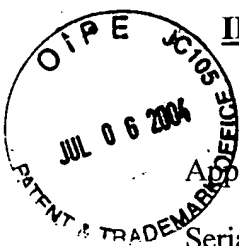


Michael C. King  
Registration No. 44,832

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on July 1, 2004.

Date: July 1, 2004





**INFORMATION CITED BY APPLICANT(S) THAT MAY BE MATERIAL TO THE  
PROSECUTION OF THE SUBJECT APPLICATION**

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**U.S. PATENT DOCUMENTS**

*Examiner Initial	ID	Document No.	Date	Name	Class	Sub- Class
	US1	2001/0006416	07/05/2001	Johnson	356	73
	US2	2002/0126275	09/12/2002	Johnson	356	317
	US3	Re. 35,868	08/11/1998	Kosaka	250	574
	US4	3,922,069	11/25/1975	Kishikawa et al.	359	633
	US5	4,770,992	09/13/1988	Van den Engh et al.	435	6
	US6	4,786,165	11/22/1988	Yamamoto et al.	356	23
	US7	5,096,807	03/17/1992	Leaback	435	6
	US8	5,141,609	08/25/1992	Sweedler et al.	356	344
	US9	5,159,397	10/27/1992	Kosaka et al.	356	73
	US10	5,159,398	10/27/1992	Maekawa et al.	356	73
	US11	5,159,642	10/27/1992	Kosaka	382	6
	US12	5,247,339	09/21/1993	Ogino	356	73
	US13	5,247,340	09/21/1993	Ogino	356	73
	US14	5,272,354	12/21/1993	Kosaka	250	574
	US15	5,422,712	06/06/1995	Ogino	356	73
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	US17	5,471,294	11/28/1995	Ogino	356	73
	US18	5,548,395	08/20/1996	Kosaka	356	73
	US19	5,596,401	01/21/1997	Kusuzawa	356	23
	US20	5,633,503	05/27/1997	Kosaka	250	458.1
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	US24	5,754,291	05/19/1998	Kain	356	344
	US25	5,760,899	06/02/1998	Eismann	356	326
	US26	5,831,723	11/03/1998	Kubota et al.	356	73
	US27	5,848,123	12/08/1998	Strommer	378	98.8
	US28	5,855,753	01/04/1999	Trau et al.	204	484
	US29	5,929,986	07/27/1999	Slater et al.	356	326
	US30	5,959,953	09/28/1999	Alon	369	44.41

### U.S. PATENT DOCUMENTS

<u>*Examiner</u> <u>Initial</u>	<u>ID</u>	<u>Document No.</u>	<u>Date</u>	<u>Name</u>	<u>Class</u>	<u>Sub-Class</u>
	US31	6,007,994	12/28/1999	Ward et al.	435	6
	US32	6,014,468	01/11/2000	McCarthy et al.	382	254
	US33	6,066,459	05/23/2000	Garini et al.	435	6
	US34	6,116,739	09/12/2000	Ishihara et al.	353	31
	US35	6,156,465	12/05/2000	Cao et al.	430	30
	US36	6,210,973	04/03/2001	Pettit	436	172
	US37	6,211,955	04/03/2001	Basiji et al.	356	326
	US38	6,249,341	06/19/2001	Basiji et al.	356	73
	US39	6,256,096	07/03/2001	Johnson	356	335
	US40	6,330,081	12/11/2001	Scholten	358	463
	US41	6,381,363	04/30/2002	Murching et al.	382	164
	US42	6,522,781	02/18/2003	Norikane et al.	382	203

### FOREIGN PATENT DOCUMENTS

<u>*Examiner</u> <u>Initial</u>	<u>ID</u>	<u>Document No.</u>	<u>Publication</u> <u>Date</u>	<u>Country</u>	<u>Class</u>	<u>Sub-Class</u>	<u>Translation?</u>
	F1	WO 00/42412	20.07.2000	PCT	GO1N 15/02	12	NO

### OTHER INFORMATION

	O1	Kubota, Fumio et al. 1995. "Flow Cytometer and Imaging Device Used in Combination." <i>Cytometry</i> : 21:129-132.
	O2	Kubota, F. 2003. "Analysis of red cell and platelet morphology using an imaging-combined flow cytometer." <i>Clin. Lab. Haem.</i> : 25:71-76.
	O3	Ong, Sim Heng. 1985. Development of a System for Imaging and Classifying Biological Cells in a Flow Cytometer. Doctor of Philosophy Thesis. University of Sydney, School of Electrical Engineering. (August)
	O4	Ong, S.H. et al. 1987. "Development of an Image Flow Cytometer." <i>Analytical and Quantitative Cytology and Histology. XIVth International Conference on Medical and Biological Engineering and the VIIth International Conference on Medical Physics</i> , Finland. (August): 375-382.
	O5	Ong, S.H. and P.M. Nickolls. 1991. "Optical Design in a Flow System For Imaging Cells." <i>Sciences in Medicine</i> : 14:2:74-80.
	O6	Ong, S.H. and P.M. Nickolls. 1994. "Analysis of MTF Degradation in the Imaging of Cells in a Flow System." <i>International Journal of Imaging Systems &amp; Technology</i> : 5:243-250.

### OTHER INFORMATION

- \_\_\_\_\_ O7 Satoh, Kaneo et al. 2002. "Small Aggregates of Platelets Can Be Detected Sensitive by a Flow Cytometer Equipped With an Imaging Device: Mechanisms of Epinephrine-Induced Aggregation and Antiplatelet Effects of Beraprost." *Cytometry*: 48:194-201.
- \_\_\_\_\_ O8 Wang, Fu-sheng and Fumio Kubota. 2002. "A Novel Apoptosis Research Method With Imaging-Combined Flow Cytometer and HITC OR IR-125 Staining." *Cytometry*: 50:267-274.
- \_\_\_\_\_ O9 Wietzorrek, Joachim et al. 1999. "A New Multiparameter Flow Cytometer: Optical and Electrical Cell Analysis in Combination With Video Microscopy in Flow." *Cytometry*: 35:291-301.

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Examiner's Signature

\_\_\_\_\_  
Date

\*Examiner: Initial if reference considered, whether or not citation is in conformance with M.P.E.P. § 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

MCK:KLP  
7/1/04